

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JASON HAWTHORNE,

Defendant.

8:02CR99

ORDER

Defendant Jason Hawthorne (Hawthorne) appeared before the court on July 24, 2007, on the Petition for Warrant or Summons for Offender Under Supervision (Report) (Filing No. 24). Hawthorne was represented by Assistant Federal Public Defender Jennifer L. Gilg and the United States was represented by Assistant U.S. Attorney Frederick D. Franklin. Through his counsel, Hawthorne waived his right to a probable cause hearing on the Report pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Report alleges probable cause and that Hawthorne should be held to answer for a final dispositional hearing before Judge Laurie Smith Camp.

The government moved for detention. Through counsel, Hawthorne declined to present any evidence on the issue of detention and otherwise waived a detention hearing. Since it is Hawthorne's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Hawthorne has failed to carry his burden and that Hawthorne should be detained pending a dispositional hearing before Judge Smith Camp.

IT IS ORDERED:

1. A final dispositional hearing will be held before Judge Laurie Smith Camp in Courtroom No. 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 8:30 a.m. on August 29, 2007**. Defendant must be present in person.
2. Defendant Jason Hawthorne is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;
3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and
4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 24th day of July, 2007.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge